

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 8:03-CR-77-T-30TBM**

**HATEM NAJI FARIZ**  
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**DEFENDANT HATEM NAJI FARIZ'S MOTION FOR LEAVE  
TO BRING A CELLULAR TELEPHONE INTO THE COURTROOM**

Defendant HATEM NAJI FARIZ, by and through undersigned counsel, and pursuant to Local Rule 4.11(b), hereby respectfully requests that this Honorable Court allow his defense counsel to bring a cellular telephone into the courtroom. As grounds in support, Mr. Fariz states:

1. Co-counsel for Mr. Fariz, Wadie E. Said, is currently on personal leave in California and will be absent from the trial for three to four weeks.
2. Co-counsel for Mr. Fariz may require the assistance of Mr. Said from time to time during the trial. His assistance may be required unexpectedly and immediately as the trial is ongoing. Use of a cellular telephone would ensure that Mr. Said's specialized knowledge and expertise will continue to be available to Mr. Fariz and co-counsel even during Mr. Said's absence from the courtroom.
3. The cellular telephone would, of course, remain off while court is in session.

**MEMORANDUM OF LAW**

Pursuant to Local Rules 4.11(b), this Court may grant counsel permission to bring electronic devices into the courtroom for a particular case or proceeding.

WHEREFORE, Mr. Fariz requests that this Honorable Court allow defense counsel

Kevin Beck and/or M. Allison Guagliardo to bring a cellular telephone into the courtroom during trial of this case and any hearings.

Respectfully submitted,

R. FLETCHER PEACOCK

FEDERAL PUBLIC DEFENDER

*s/ Kevin T. Beck*

Kevin T. Beck

Florida Bar No. 0802719

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15<sup>th</sup> of August, 2005, a true and correct copy of the foregoing has been furnished by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Cherie L. Krigsman, Trial Attorney, U.S. Department of Justice, Alexis L. Collins, Assistant United States Attorney; William Moffitt and Linda Moreno, counsel for Sami Amin Al-Arian; Bruce Howie, counsel for Ghassan Ballut; and to Stephen N. Bernstein, counsel for Sameeh Hammoudeh.

s / Kevin T. Beck  
Kevin T. Beck  
Assistant Federal Public Defender